

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/IT2004/000190

International filing date (day/month/year)
08.04.2004

Priority date (day/month/year)
16.04.2003

International Patent Classification (IPC) or both national classification and IPC
E04B9/32, G09F13/02, F21W121/00, F21S8/00

Applicant
TARGETTI SANKEY S.P.A.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**International application No.
PCT/IT2004/000190

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
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Box No. II Priority

1. ☒ The following document has not been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☒ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	4,6
	No: Claims	1-3,4
Inventive step (IS)	Yes: Claims	
	No: Claims	1-6
Industrial applicability (IA)	Yes: Claims	1-6
	No: Claims	

2. Citations and explanations

see separate sheet

JC20 Rec'd PCT/PTO 1 6 OCT 2005

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/IT2004/000190

Re Item V**Reasoned statement with regard to novelty, inventive step or industrial
applicability; citations and explanations supporting such statement**

1. Reference is made to the following documents:

D1: US-A-4 942 685 (LIN LING-YUNG) 24 July 1990 (1990-07-24)

D2: PATENT ABSTRACTS OF JAPAN vol. 1995, no. 01, 28 February 1995
(1995-02-28) - & JP 6 299641 A (MATSUSHITA ELECTRIC WORKS LTD), 25
October 1994 (1994-10-25)

2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

The document D1 discloses (the references in parentheses applying to this document) an illumination device comprising a box-like body (1) with back (13) and side (15) walls extending from said back (13), an opening having been formed on the wall opposite said back (13), wherein on the inner surface of said back (13) a decorative image is reproduced (photograph), a light source (3) extending internally on a frame delimiting said opening, said side walls (15) having inner faces made of reflective material (15).

3. Dependent claims 2-6 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty or inventive step (see documents D1 and D2 and the corresponding passages cited in the search report):

3.1. claims 2 and 3 are not new: the light source 3 is distributed along the length of the frame (see Fig. 1) and can be of the fluorescent type (see col. 1, lines 59-62);

3.2. claims 4 is not inventive: combining several illumination devices of the claimed type for composing a larger image is already known from D2 (see Fig. 6). It would be obvious to the person skilled in the art, namely when the same result is to be achieved, to apply these features with corresponding effect to an illumination device according to document D1, thereby arriving at an illumination device according to claim 4;

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- 3.3. claim 5 is not inventive: foreseeing wall connection means for the illumination device of D1 is obvious to the man skilled in the art;
- 3.4. claim 6 is not inventive: means of ceiling-fitted connections are disclosed in D2. The man skilled in the art would consider it an obvious possibility to apply these features to the illumination device of D1, thereby arriving at an illumination device according to claim 6.
- 4. Claims 1-6 are industrially applicable.